

FILED

JUN 15 2018

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY BRH DEP CLK

United States of America

v.

Diego Chaj-Ramos
a/k/a "Jose Antonio-Ramos"

Case No. 5:18-mj-1529-RN

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 20, 2017 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:

Code Section

18 U.S.C. § 1015(e); and
42 U.S.C. § 408(a)(7)(B)

Offense Description

The defendant did knowingly make a false statement and claim that he was a United States citizen with the intent to engage in unlawful employment in the United States. Further, the defendant, for the purpose of obtaining something of value and for other purposes, did knowingly and with intent to deceive, falsely represent a Social Security account number to have been assigned to him.

This criminal complaint is based on these facts:

please see attached affidavit

☒ Continued on the attached sheet.



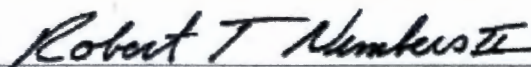
Complainant's signature

Christopher E. Brant, Special Agent, HSI

Printed name and title

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the applicant appeared before me via reliable electronic means and was placed under oath.

Date: 6/15/2018 9:07 am



Judge's signature

City and state: Raleigh, North Carolina

Robert T. Numbers II, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

AFFIDAVIT

1. I, Christopher E. Brant, depose and state that I am a Special Agent (SA) of the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and have been so employed for over 11 years. I am assigned to the HSI Raleigh, NC field office (HSI-Raleigh) and my duties include, among other things, investigating violations of Titles 8, 18, 19, 21 and 31 of the United States Code (U.S.C.). As part of these duties, I have led or participated in hundreds of investigations involving criminal and/or administrative violations related to money laundering, intellectual property rights, narcotics trafficking, bulk cash smuggling, identity theft, immigration benefit fraud, document fraud, visa fraud, human smuggling, human trafficking, the illegal entry and/or re-entry of aliens, and immigration status violators. Prior to reporting for assignment at HSI-Raleigh, I attended training at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, where I received instruction in Federal criminal statutes, search, seizure and arrest authority, use of force, and many other facets of federal and general law enforcement. Prior to attending FLETC, I worked five (5) years as an accountant and obtained Undergraduate and Master's degrees in Business Administration and Finance.

2. This affidavit is made in support of a criminal complaint against Diego Chaj-Ramos (hereinafter referred to as "CHAJ"), also known as "Jose Antonio-Ramos," for knowingly making a false statement and claim that he was a United States citizen with the intent to engage unlawfully in employment in the United States, in violation of Title 18, U.S.C., § 1015(e), and falsely representing a Social Security account number, in violation of Title 42, U.S.C., § 408(a)(7)(B).

3. Because this affidavit is being submitted for the limited purpose of securing a warrant to arrest CHAJ, I have set forth only those facts I believe are necessary to establish probable cause to believe that the aforementioned violations occurred and that CHAJ committed them. The facts contained in this affidavit come from my personal involvement in this investigation, information obtained from others involved in this investigation, and a review of the records and documents obtained during the course of this investigation.

4. On or about June 11, 2018, the ICE Law Enforcement Support Center (LESC) received an Immigration Alien Query (IAQ) from the Lee County, North Carolina Sheriff's Office (LCSO). The IAQ was generated after an individual identified as A.A.C., a United States citizen born

in Puerto Rico on XXXX XX 1980,¹ had been charged with "False Report of Theft of Motor Vehicle" and was being held on a \$500 secured bond. The information was later routed to Enforcement and Removal Operations (ERO) Raleigh, North Carolina (ERO-Raleigh).

5. On or about June 11, 2018, ERO-Raleigh telephonically interviewed the individual identified as A.A.C. The individual initially identified himself as A.A.C., but later admitted that his name was "Diego Chaj-Ramos", and that he had previously utilized the alias "Jose Antonio-Ramos." CHAJ stated that he was a national and citizen of Guatemala and that he had illegally entered the United States on or about an unknown date and at or near an unknown location. Record checks revealed that CHAJ had no immigration encounters prior to his interaction with ERO-Raleigh on June 11, 2018. CHAJ was later assigned Alien Number (A-Number) A216 435 906 and an Immigration Detainer was lodged with the LCSO in the event CHAJ posted his \$500 bond.

6. As part of this investigation, I have reviewed Alien File (A-File) A216 435 906. The A-File is maintained by ICE, is in the name Diego Chaj-Ramos, and contains CHAJ'S biographical information, family history, records of encounters with ICE, photographs, and fingerprints. The A-File reflects the following information relative to CHAJ:

- a. CHAJ is a citizen and national of Guatemala.
- b. CHAJ'S date of birth is XXXXX XX, 1980 and this affidavit and the complaint to which it is attached correctly reflect CHAJ'S name.
- c. CHAJ, on or about an unknown date, and at or near an unknown location, illegally entered the United States.
- d. CHAJ, on or about March 9, 1999, was charged in Harris County, Texas for "Driving While Intoxicated". On or about March 10, 1999, CHAJ was convicted and sentenced to 15 days imprisonment. The offense record is under the name Jose Antonio-Ramos.
- e. CHAJ, on or about October 17, 2013, was charged in Cumberland County, North Carolina with "Driving While Impaired". On or about November 20, 2014, the charges were dismissed. The offense record is under the name A.A.C.

¹The actual Social Security number, full name, and date of birth of the victims have been redacted throughout this Affidavit to protect his/her privacy and related sensitive information. Additionally, in an abundance of caution, identification card and driver's license numbers have been redacted for the same reasons.

- f. CHAJ, on or about October 17, 2013, was charged in or near Wake County, North Carolina for the offense of "Speeding". On or about September 23, 2014, CHAJ received a prayer for judgment. The offense record is under the name A.A.C.
- g. CHAJ, on or about April 11, 2015, was charged in Lee County, North Carolina for the offense of "Driving While License Revoked". On or about June 30, 2015, the charges were dismissed. The offense record is under the name A.A.C.
- h. CHAJ, on or about May 2, 2015, was charged in Harnett County, North Carolina for the offense of "No Operator's License". On or about April 27, 2017, the charges were dismissed. The offense record is under the name A.A.C.
- i. CHAJ, on or about May 2, 2015, was charged in Harnett County, North Carolina for the offense of "Driving While Impaired", "Reckless Driving to Endanger", and "Civil Revocation of Driver's License". On or about April 27, 2017, the charges were dismissed. The offense record is under the name A.A.C.
- j. CHAJ, on or about May 2, 2015, was charged in Lee County, North Carolina for the offense of "Driving While Impaired", "Failure to Maintain Lane Control", and "Civil Revocation of Driver's License". On or about August 4, 2017, was convicted and sentenced to 18 months unsupervised probation. The offense record is under the name A.A.C.
- k. CHAJ, on or about June 10, 2018, was charged in Lee County, North Carolina for the offense of "False Report of Motor Vehicle Theft". The charges are still pending. The offense record is under the name A.A.C.

7. As part of this investigation, I reviewed records from the North Carolina Division of Motor Vehicles (NCDMV). The records revealed the following:

- a. CHAJ, on or about August 29, 2011, travelled to the NCDMV station located in Lumberton, North Carolina and fraudulently represented himself as A.A.C. and applied for a driver's license. CHAJ provided NCDMV officials with a Puerto Rico birth certificate and a Social Security card (SSC), numbered XXX-XX-3967, both in the name A.A.C. The NCDMV issued CHAJ (NCDL) XXXX7647, in

the name and biographical identifiers of A.A.C., the same day

- b. CHAJ, on or about June 29, 2015, travelled to the NCDMV station located in Sanford, North Carolina and fraudulently represented himself as A.A.C. and applied for a duplicate NCDL. CHAJ provided NCDMV officials with a Puerto Rico birth certificate and a SSC, numbered XXX-XX-3967, both in the name of A.A.C. The NCDMV issued CHAJ NCDL XXXX7647, in the name and biographical identifiers of A.A.C., the same day.

8. As part of this investigation, I obtained a copy of the DHS Form I-9 "Employment Eligibility Verification" form completed by CHAJ prior to his employment at Hard Hat Workforce Solutions. The DHS Form I-9 revealed that on or about October 26, 2015, CHAJ fraudulently represented himself to be A.A.C., claimed to be a citizen of the United States, and provided Hard Hat Workforce Solutions officials NCDL XXXX7647 and SSC XXX-XX-3967, both in the name A.A.C., as proof of his eligibility for employment. The form was completed in or near Cary, North Carolina, within the Eastern District of North Carolina (EDNC).

9. As part of this investigation, I obtained a copy of the DHS Form I-9 "Employment Eligibility Verification" form completed by CHAJ prior to his employment at Premier Electrical Staffing. The DHS Form I-9 revealed that on or about June 24, 2016, CHAJ fraudulently represented himself to be A.A.C., claimed to be a citizen of the United States, and provided Premier Electrical Staffing officials NCDL XXXX7647 and SSC XXX-XX-3967, both in the name A.A.C., as proof of his eligibility for employment. The form was completed in or near Raleigh, North Carolina, within the EDNC.

10. As part of this investigation, I obtained a copy of the DHS Form I-9 "Employment Eligibility Verification" form completed by CHAJ prior to his employment at KTL-McDonalds. The DHS Form I-9 revealed that on or about August 27, 2016, CHAJ fraudulently represented himself to be A.A.C., claimed to be a citizen of the United States, and provided KTL-McDonalds officials NCDL XXXX7647 and SSC XXX-XX-3967, both in the name A.A.C., as proof of his eligibility for employment. The form was completed in or near Lumberton, North Carolina, within the Eastern District of North Carolina (EDNC).

11. As part of this investigation, I obtained a copy of the DHS Form I-9 "Employment Eligibility Verification" form completed by CHAJ prior to his employment at LL Vann Electric. The DHS Form I-9 revealed that on or about November 20, 2017, CHAJ fraudulently represented himself to be A.A.C., claimed to be a citizen of the United States, and provided LL Vann Electric officials NCDL XXXX7647 and SSC XXX-XX-3967, both in the name A.A.C., as proof of his eligibility for employment.

The form was completed in or near Raleigh, North Carolina, within the EDNC.

12. As part of this investigation, I have obtained and reviewed Puerto Rico and Florida DMV records associated with the name and biographical identifiers of A.A.C. The records revealed a thirty-seven-year-old United States citizen believed to be born in Puerto Rico on XXXX XX, 1980, with Social Security Number (SSN) XXX-XX-3967. Included with the records is a photograph of A.A.C. The individual photographed in the records is not CHAJ.

13. Based on the aforementioned information, I believe there is ample probable cause to believe that Diego Chaj-Ramos is guilty of knowingly making a false statement and claim that he was a United States citizen with the intent to engage unlawfully in employment in the United States, in violation of Title 18, U.S.C., § 1015(e), and falsely representing a Social Security account number, in violation of Title 42, U.S.C., § 408(a)(7)(B).

Further your Affiant Sayeth Not.



Christopher E. Brant
Special Agent
Homeland Security Investigations

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit.
Dated: June 15, 2018



Robert T. Numbers, II
United States Magistrate Judge